

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of  
**STROBEL et al.**

Examiner: Kamal A Saeed

Application No.: 10/073,160

Art Unit: 1626

Filed: February 13, 2002

Title: **Acylated Indanyl Amines and Their Use  
as Pharmaceuticals****TELEFAX CERTIFICATE**

I hereby certify that this correspondence is being  
transmitted via facsimile to the Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA 22313-  
1450, at 571-273-0025, on

Date of Transmission

Signature

10-12-06

Mail Stop: Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**FAX RECEIVED**

OCT 12 2006

**OFFICE OF PETITIONS**

**PETITION TO WITHDRAW APPLICATION FROM ISSUE**  
**UNDER 37 C.F.R. § 1.313(c)(2);**  
**AND REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(a), Applicants hereby petition for the withdrawal of the above-identified application from issue, and include the requisite fee of \$130.00 under 37 C.F.R. § 1.17(h). Applicants submit that withdrawal from issue is required to ensure proper consideration and acknowledgement by the Examiner, on the record, of related applications to the instant application. A good faith attempt was made to bring the aforementioned related applications to the attention of the Examiner in a paper submitted on October 19, 2005, at page 17, of Applicants' response (Applicants' remarks attached as Appendix A). Applicants in conducting a last check of the instant application before issuance realized that Examiner's response had failed to indicate that said related applications had been considered.

In support of Applicants' petition, concurrently filed herewith is a Request for Continued Examination (RCE), as required under 37 C.F.R. § 1.313(c)(2), that includes requisite fee of \$790.00 and an Information Disclosure Statement (IDS) (submission) listing the related applications to have such related applications properly considered and acknowledged on the record.

acknowledged on the record.

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130.00 DA

10/13/2006 CKNLOK

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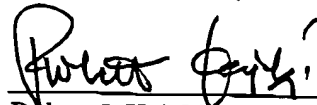
**Information Disclosure Statement (IDS)**

Applicants submit herewith an IDS to request on-record acknowledgement and consideration the listed applications that include similar subject matter (*i.e.*, are in the same technical field) as the instant patent application.

If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (908) 231-3115.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,



Robert J. Kajubi  
Registration No. 55,312  
Attorney for Applicants

Dated: October 12, 2006

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, New Jersey 08807-0800  
Telephone: 908-231-3410  
Telefax: 908-231-2626  
Docket No. DEAV2001/0004 US NP

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

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Application Number

10/073,160

Filing Date

February 13, 2002

First Named Inventor

Hartmut STROBEL et al.

Art Unit

1624

Examiner Name

Kamal A Saeed

Attorney Docket Number

DEAV2001/0004 US NP 1

**FAX RECEIVED****OCT 12 2006****OFFICE OF PETITIONS****ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):Request for Continued Examination  
1449 form

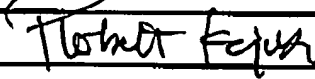
Remarks

\* PETITION TO WITHDRAW APPLICATION FROM ISSUE  
UNDER 37 C.F.R. § 1.313(c)(2);  
AND REQUEST FOR CONTINUED EXAMINATION**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

sanofi-aventis U.S. LLC

Signature



Printed name

Robert J. Kajubi

Date

October 12, 2006

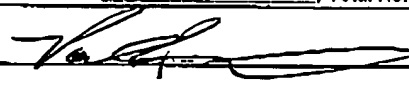
Reg. No.

55,312

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (USPTO FAX NO. 572-273-0025; Total No. of Pages Transmitted: 11)

Signature



Typed or printed name

Paul Irvine

Date

October 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.